

CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA

AGENDA

August 24, 2006 – 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL 32771

- I Call to Order**
- II Pledge of Allegiance**
- III Roll Call**
- IV Swearing in of Witnesses**
- V Agenda Update & Approval**
- VI Public Hearings –**

Repeat Cases	-	2
New Cases	-	4
Continued Cases	-	0
Special Request	-	1
Consent Agenda	-	7
Foreclosure	-	0
Add-On	-	0

REPEAT CASES

WITHDRAWN BY STAFF

A. Case No: 03-03-CEB
Marguerite S. Hunter
Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The Board originally heard this case on December 4, 2003 and an Order was entered. Compliance was obtained on March 17, 2004. On March 18, 2004, the Board entered an Order rescinding the fine of \$5,250.00. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after additional evidence was received on July 5, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$3,825.00**, for 51 days of non-compliance from July 27, 2006 through and including August 24, 2006 at \$75.00 per day and the fine shall continue to accrue at **\$75.00 per day** for each day this violation continues or is repeated past August 24, 2006, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(h).

Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.

Location: 5038 Lake Howell Road, Winter Park (Commission District 4)
Tax Parcel ID # 33-21-30-506-0000-0060

Motion by _____ **Second by** _____ **Action** _____

POSTED NOTICE OF HEARING

B Case No: 05-58-CEB
Carolea Oliver
Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The Board originally heard this case on August 25, 2005 and an Order was entered. On October 27, 2005, the Board entered an Order Finding Non-Compliance and Imposing Fine/Lien. Compliance was obtained on November 7, 2005. The current lien totals \$8,550.00 and remains unpaid. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on June 30, 2006. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on July 24, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$3,600.00**, for 24 days of non-compliance from June 30, 2006 through and including July 23, 2006 at \$150.00 per day, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n).
Described as: 1) Stagnant or foul water within a swimming or wading pool.
Location: 1030 Gregory Drive, Maitland (Commission District 4)
Tax Parcel ID # 24-21-29-507-0B00-0040

Motion by _____ Second by _____ Action _____

POSTED NOTICE OF HEARING

C. Case No. 06-03-CEB
John E. Jane
Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The Board originally heard this case on January 26, 2006 and an Order was entered. Compliance was obtained on February 15, 2006. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on June 12, 2006. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on June 30, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of **\$1,350.00**, for 18 days of non-compliance from June 12, 2006 through and including June 29, 2006 at \$75.00 per day, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 118 Highland, Casselberry (Commission District 4)
Tax Parcel ID # 18-21-30-5DW-0000-0240

Motion by _____ Second by _____ Action _____



NEW CASES

CERTIFIED NOTICE OF HEARING

A. Case No. 06-59-CEB
Robert L. Hart
Code Enforcement Officer: Dorothy Hird

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.762 and Seminole County Land Development Code, Chapter 30, Section 30.763 (m).

Described as: 1) Parking or storage of vehicles on C-2 zoned property.
2) Parking or storage of semi-tractor, trailers and cargo trailer boxes on C-2 zoned property is permitted in rural areas with a Special Exception from the Board of Adjustment for the sale of feed, hay or other agricultural products.

Location: 6735 Hwy 17-92, Fern Park (Commission District 4)
Tax Parcel ID # 17-21-30-510-0000-004G

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

B. Case No. 06-60-CEB
W S T K Properties
Code Enforcement Officer: Donna Wisniewski

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1243.

Described as: 1) Prohibited signs - banners.
Location: 1481 Tuskawilla Rd., Oviedo (Commission District 1)
Tax Parcel ID # 24-21-30-500-020S-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

C. Case No. 06-61-CEB
Arnold D. and Laurie A. Pennington
Code Enforcement Officer: Donna Wisniewski

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (o) and Seminole County Land Development Code, Chapter 30, Section 30.1349 (e).

Described as: 1) Unsecured pool.
2) Fence not in original upright condition.

Location: 1909 Cyril Court, Winter Park (Commission District 1)
Tax Parcel ID # 25-21-30-515-0000-0030

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

D. Case No. 06-62-CEB
Edgar L. and Evelyn B. Wilson
Code Enforcement Officer: Jerry Robertson

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

Described as: 1) Junked or abandoned vehicles not being kept within an enclosed garage or an attached carport.

Location: 300 Mc Lain Lane, Geneva (Commission District 2)
Tax Parcel ID # 33-20-32-300-0180-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 2006

CONTINUED BY STAFF

E. Case No. 06-63-CEB
Shawntel Dorenkamp
Code Enforcement Officer: Donna Wisniewski

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (n).

Described as: 1) The accumulation of trash and debris.
2) Stagnant or foul water in swimming or wading pool.

Location: 253 Whitesand Ct., Casselberry (Commission District 1)
Tax Parcel ID # 14-21-30-515-0000-0190

Motion by _____ Second by _____ Compliance Date _____ Fine _____

COMPLIED PRIOR TO HEARING

F. Case No. 06-64-CEB
Al Baja Properties LLC
Ivan M. Lefkowitz, Registered Agent
Code Enforcement Officer: Jerry Robertson

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1233.

Described as: 1) Solid waste container not enclosed on three sides with a 6' screen.

Location: 141 4th Street West, Chuluota (Commission District 1)
Tax Parcel ID # 21-21-32-5CF-3800-0010

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CONTINUED CASES

A. Case No. 06-48-CEB
Frank and Mary L. Jackson
Code Enforcement Officer: Dorothy Hird

WITHDRAWN BY STAFF

New Case continued by the Board at the June 22, 2006 meeting.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (j)

Described as: 1) Accumulation of trash and debris.
2) Used and/or scrap building materials being kept or stored on the property.

Location: 118 Florence Ave., Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-300-062B-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SPECIAL REQUEST

A. Case No. 01-73-CEB
Robert Dance
Code Enforcement Officer: Jerry Robertson

Gary Siegel, Attorney for the Respondent, made a request to come before the Board to address the issue of the total accrued fine of \$429,250.00 for 1,717 days of non-compliance from October 12, 2001, through and including June 25, 2006 at \$250.00 per day. Compliance was obtained on June 26, 2006.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1247

Described as: 1) Signs erected without obtaining a building permit.

Location: 3575 Hwy 17-92 N, Longwood (Commission District 2)
Tax Parcel ID # 22-20-30-300-0190-0000

Motion by _____ Second by _____ Action _____

CONSENT AGENDA

- A. Case No. 02-19-CEB
Willie B. Madison Heirs
C/O Hubert Madison NPAR
Code Enforcement Officer: Pamela Taylor

The Board heard the original case on February 28, 2002 and an Order was entered. Compliance on the original Order was obtained on March 25, 2002. On May 23, 2002, the Board reduced the accrued fine of \$400.00 to \$50.00. The Respondent paid the reduced amount. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on December 2, 2005. On January 26, 2006, the Board entered a Findings of Fact, Conclusions of Law and Order on a Repeat Violation imposing a fine of \$2,750.00 and increasing the fine to \$100.00 per day if the violations continue or are repeated past January 26, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$23,275.00**, which represents \$2,750.00 for 55 days of non-compliance at \$50.00 per day from December 2, 2005, through and including January 26, 2006, and \$21,000.00, for 210 days from January 27, 2006, through and including August 24, 2006, at \$100.00 per day and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past August 24, 2006, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g) and (h)
Described as: 1) The accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 2191 Granby Ave., Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-032C-0000

Motion by _____ **Second by** _____ **Action** _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 2006

B. Case No: 04-08-CEB
Annie McDaniel
Code Enforcement Officer: Joann Davids

The Board heard the original case on January 22, 2004 and an Order was entered. At the request of the Respondent's Attorney, the Board granted an extension of the compliance date to November 1, 2004 and rescinded the accrued fine of \$11,700.00 on July 29, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on November 2, 2004. An Affidavit of Compliance (After Seminole County Sheriff's Office Abatement) was filed by the Code Enforcement Officer after reinspection of August 9, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$64,500.00**, for 645 days of non-compliance from November 2, 2004 through and including August 8, 2006, at \$100.00 per day, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(f)(g)(h)(i)(j)(l).

- Described as:
- 1) Unusable or abandoned appliances.
 - 2) The accumulation of trash and debris.
 - 3) Uncultivated vegetation in excess of 24" in height located within 75' of a structure.
 - 4) The remains or rubble of a structure which has been burned, stricken by casualty or demolished.
 - 5) Used or scrap building materials.
 - 6) Junked or abandoned vehicle(s) not being kept within an enclosed garage or an attached carport.

Location: 718 Arletta St., Altamonte Springs (Commission District 3)
Tax Parcel ID # 21-21-29-300-0200-0000

Motion by	Second by	Action
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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 2006

C. Case No: 04-16-CEB
Jimmie L. & Ruby L. Smith
Code Enforcement Officer: Dorothy Hird

The Board heard the original case on April 22, 2004 and an Order was entered. Compliance on the original violation was obtained on July 13, 2004. The Board rescinded a fine of \$2,550.00 on the original violation on July 29, 2004. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on January 26, 2005. The Board heard the repeat violation on March 24, 2005 and an Order was entered. An Affidavit of Non-Compliance on Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 11, 2005. The Board entered an Order Imposing Lien/Fine After Repeat Violation on May 19, 2005. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on September 19, 2005. The lien for this repeat violation totals \$19,050.00 and remains unpaid at this time. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 27, 2006. The Board heard the repeat violation on July 27, 2006 and an Order was entered. Also in this Order, the fine was increased to \$150.00 per day if the violation continues or is repeated past August 11, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$12,650.00**, which represents \$10,700.00, for 107 days of non-compliance from April 27, 2006, through and including August 11, 2006, at \$100.00 per day, and \$1,905.00, for 13 days of non-compliance from August 12, 2006, through and including August 24, 2006, at \$150.00 per day, and the fine shall continue to accrue at **\$150.00 per day** for each day the violation continues or is repeated past August 24, 2006 and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 1257 DePugh Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-501-0200-0080

Motion by _____	Second by _____	Action _____
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- D. Case No: 06-17-CEB
Barbara B. and Christopher Qualmann
Code Enforcement Officer: Joann D. Tamulonis

The Board heard this case on February 23, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 28, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on June 17, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$27,000.00**, for 108 days of non-compliance from February 28, 2006 through and including June 15, 2006, at \$250.00 per day, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3 (o).
Described as: 1) Unsecured pool
Location: 421 Ruth Street, Longwood (Commission District 3)
Tax Parcel ID # 08-21-29-506-0A00-0130

Motion by _____ Second by _____ Action _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 2006

E. Case No. 06-25-CEB
James W. and Lorna Lickert
Code Enforcement Officer: Joann D. Tamulonis

The Board continued this case from the June 22, 2006 meeting. The Board originally heard this case on March 23, 2006 and an Order was entered. An Affidavit of Partial Compliance was filed by the Code Officer indicating compliance on violation # 4 was obtained on May 1, 2006. An Affidavit of Non-Compliance was filed by the Code Officer indicating that compliance had not be obtained on the remaining violations (1, 2, 3, 5, and 6) on May 1, 2006. An Affidavit of Partial Compliance was filed by the Code Officer indicating that compliance on violation # 2 was obtained on May 23, 2006. Violations # 1, # 3, # 5, and # 6 remain in violation. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a lien for **\$121,500.00**, which represents \$5,500.00, for 22 days of non-compliance on violation # 2, from May 1, 2006 through and including May 22, 2006, at \$250.00 per day and \$116,000.00 for 116 days of non-compliance on violations # 1, # 3, # 5, and # 6 at \$250.00 per day, per violation (a total of \$1,000.00 per day) from May 1, 2006 through and including August 24, 2006, and **the fine shall continue to accrue at \$250.00 per day, per violation (a total of \$1,000.00 per day) on violations # 1, # 3, # 5, and # 6** for each day the violations continue or are repeated past August 24, 2006 and this Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95 Section 95.4, as defined in 95.3 (e), (f), (g), (h), (i) and (p).

- Described as:
- 1) Unusable or abandoned furniture.
 - 2) Unusable or abandoned stoves, appliances or other white goods
 - 3) Accumulation of trash and debris.
 - 4) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure.
 - 5) Used and/or scrap building materials.
 - 6) Any other objectionable, unsightly, or unsanitary matter, substance or material tending by its existence and or accumulation to endanger or adversely affect the health, safety, lives and/or welfare of the citizens of the County.

Location: 2660 Orange Ct, Longwood (Commission District 3)
Tax Parcel ID # 05-21-29-502-0B00-0440

Motion by _____	Second by _____	Compliance Date _____	Fine _____
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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 2006

F. Case No. 06-49-CEB
William J. and Mary L. Taylor
Code Enforcement Officer: Dorothy Hird

The Board heard this case on June 22, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on July 25, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on August 1, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$750.00**, for 10 days of non-compliance from July 22, 2006 through and including July 31, 2006, at \$75.00 per day, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (h)
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height and within 75' of a structure.
Location: 130 E Faith Terrace, Maitland (Commission District 4)
Tax Parcel ID # 24-21-29-512-0000-0190

Motion by _____ **Second by** _____ **Action** _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 2006

G. Case No. 06-58-CEB
Dave and Deborah Flowers
Code Enforcement Officer: Jerry Robertson

The Board heard this case on July 27, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on August 15, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$900.00**, for 9 days of non-compliance from August 16, 2006 through and including August 24, 2006, at \$100.00 per day, and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past August 24, 2006, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (h).
Described as: 1) The accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, located within 75' of a structure.
Location: 1952 Spring Ave., Oviedo (Commission District 2)
Tax Parcel ID # 32-20-31-501-0000-0040

Motion by _____	Second by _____	Action _____
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FORECLOSURE

NONE

VII Approval of the minutes from the meeting of July 27, 2006

VIII Confirmation date of next meeting: September 28, 2006

IX Old Business –

CASE NO 04-61-CEB – BILL HEARD CHEVROLET – On July 27, 2006, the Board entered a Findings of Fact, Conclusions of Law and Order on a Repeat Violation imposing a fine of \$1,000.00. The Respondents paid the fine on August 2, 2006. **A Satisfaction of Fine will be executed by the Chair at this meeting.**

CASE NO 06-35-CEB – LEFEARS AND THERESA JACKSON – On July 27, 2006, the Board entered an Order Finding Compliance and Imposing Fine/Lien reducing the Respondents' fine from \$2,600.00 to \$200.00, to be paid by August 28, 2006. The Respondents' paid the fine on August 14, 2006. **A Satisfaction of Fine will be executed by the Chair at this meeting.**

X New Business –

CASE NO 06-45-CEB – CRIB 4 LIFE INC. – On July 27, 2006, the Board entered a Findings of Fact, Conclusions of Law and Order in this case. For clarification purposes, a change was made to this Order. **A Corrected Findings of Fact, Conclusions of Law and Order will be signed by the Chair at this meeting.**

The Clerk received the following cases for August:

Repeat Cases	-	3 (1 withdrawn by staff)
New Cases	-	6 (1 complied prior to hearing and 1 continued by Staff)
Special Requests	-	1
Foreclosures	-	0
Add-On	-	0

XI Adjourn

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7941.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THIS HEARING, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS ARE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 285.0105, FLORIDA STATUTES.

FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT (407) 665-7403.

08-24-06 Agenda